

REMARKS/ARGUMENTS

Reconsideration and allowance in view of the foregoing amendment and the following remarks are respectfully requested.

Claim 13 was rejected under 35 USC 102(b) as being anticipated by Sugiura et al. Applicant respectfully traverses this rejection. However, to advance prosecution, claim 13 has been canceled without prejudice. Therefore, the Examiner's rejection has been mooted.

Claims 1-4 were rejected under 35 USC 103(a) as being unpatentable over Sugiura et al. in view of Ito et al. Applicant respectfully traverses this rejection.

Claim 1 is directed to a graft copolymer composition to be blended with an olefin thermoplastic resin, which applicant recognizes may be susceptible to scratching and abrasion when molded. In accordance with the invention, the graft copolymer composition includes a lubricant including at least one of fatty acid amides and an alkylene oxide derivative, for improving scratch resistance and abrasion resistance of the olefin thermoplastic resin. Namely, the purpose of inclusion of the lubricant in the graft copolymer composition is to improve the scratch resistance and abrasion resistance of the olefin thermoplastic resin.

The Examiner acknowledges that a feature of claim 1, namely, the lubricant, distinguishes over Sugiura et al. This is true; Sugiura fails to teach the inclusion of a lubricant in a graft copolymer composition. In fact, and more fundamentally, Sugiura is not directed to a graft copolymer composition to be blended with an olefin thermoplastic resin. Accordingly, Sugiura also fails to teach the inclusion of a lubricant for the purpose of improving scratch resistance and abrasion resistance of an olefin thermoplastic resin when blended.

Ito discloses a fluid improvement agent containing a graft copolymer and a fatty acid or a derivative thereof. However, Ito does not disclose or suggest that the fluid

improvement agent is blended with an olefin thermoplastic resin. Accordingly, Ito also fails to teach the inclusion of a lubricant in the fluid improvement agent for the purpose of improving scratch resistance and abrasion resistance of an olefin thermoplastic resin. Hence, the noted feature of claim 1, namely "a lubricant ... for improving scratch resistance and abrasion resistance of the olefin thermoplastic resin" is also a distinction over Ito.

Among other things, a *prima facie* case of obviousness must establish that the asserted combination teaches or suggests each and every element of the claimed invention. In view of the above-noted distinctions between claim 1 and the cited references, at least one claimed element of claim 1 is not present in the asserted combination of references. Hence the Office Action fails to establish a *prima facie* case of obviousness with respect to claim 1. Claims 2-4 ultimately depend from claim 1, and so at least similarly distinguish over the asserted combination of references.

For all the reasons advanced above it is respectfully submitted that the rejection of claims 1-4 is improper and should be withdrawn. Reconsideration and allowance of these claims is solicited.

Claims 5-7 were also rejected under 35 USC 103(a) as being unpatentable over Sugiura et al and Ito et al. and claims 10-12 were rejected over Sugiura and Ito. Applicant respectfully traverses these rejections.

Claims 5 and 10 each recite the above discussed feature of "a lubricant . . . for improving scratch resistance and abrasion resistance of the olefin thermoplastic resin." Therefore, claims 5-7 and 10-12 are submitted to be patentable over Sugiura taken alone or in combination with Ito for the reasons advanced above with respect to claims 1-4. Reconsideration and withdrawal of these rejections are requested.

Claims 8-9 were also rejected under 35 USC 103(a) as being unpatentable over Sugiura in view of Ito. Applicant respectfully traverses this rejection. However, to

SUGIURA
Appl. No. 10/534,876
September 29, 2008

advance prosecution, claims 8 and 9 have been canceled. Therefore, the Examiner's rejection has been mooted.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance and an early Notice to that effect is earnestly solicited.

Respectfully submitted,

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